

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA

v.

ADRIAN ANTHONY MARTINEZ (01)

CLERK, U.S. DISTRICT COURT
By _____ Deputy _____

No. 4:18-MJ-

642

CRIMINAL COMPLAINT

I, the undersigned Complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

From on or about September 19, 2018, through on or about September 25, 2018, in the Fort Worth Division of the Northern District of Texas, the defendant, **Adrian Anthony Martinez**, using a means or facility of interstate or foreign commerce, that is a cellular phone and/or computer connected to the internet, did knowingly attempt to persuade, induce, and entice an individual who had not attained the age of eighteen (18) years, to engage in sexual activity for which a person can be criminally charged under Texas state law, that is a violation of Texas Penal Code Section 22.011(a)(2), Sexual Assault of a Child.

In violation of 18 U.S.C. § 2422(b).

INTRODUCTION

1. I am a Special Agent with the Federal Bureau of Investigation (FBI), Dallas Division and have been employed as a Special Agent of the FBI since April 2004. As a federal agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States. I am currently assigned to a Child Exploitation Task Force, wherein my duties and responsibilities include investigating criminal violations relating to the sexual exploitation of children (SEOC). I

have gained expertise in these types of investigations through training in seminars, classes, and my everyday work. In addition, I have received specialized training in the investigation and enforcement of federal child pornography laws in which computers are used as the means for transmitting, collecting and storing child pornography.

2. The information contained in this affidavit is based on my personal knowledge and experience, my own investigation, and information provided by other law enforcement officers and/or agents. Since this affidavit is being submitted for the limited purpose of securing an arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that **Adrian Anthony Martinez** committed a violation of 18 U.S.C. § 2422(b).

OVERVIEW OF INVESTIGATION

3. On September 19, 2018, a Texas Department of Public Safety (DPS) officer acting in an undercover capacity (UC1) created an account on the social media application Skout¹. UC1 created a profile under the name “Katie” (hereafter referred to as KATIE) and attached an age-regressed image of a female law enforcement officer to the profile. UC1 created the profile but did not post anything and let the account sit idle.

¹ Skout is a location-based social networking and dating mobile application and website. The application allows users to communicate with each other via instant messaging. It runs on iOS and Android platforms and is a free download from the Apple App Store and Google Play platforms.

4. That evening, a Skout user with the profile “Adrian” (hereafter referred to as ADRIAN) contacted KATIE and said he was “looking for a fwb² to be honest.” ADRIAN then asked KATIE to communicate with him via text message at xxx-xxx-8073.

5. On September 20, 2018, KATIE contacted ADRIAN via text message. The first texts of the conversation are as follows:

KATIE: Hi

ADRIAN: Hello what is yr name and where r u

KATIE: Katie. Fort Worth

ADRIAN: What ru looking for

How old r u

KATIE: I am game for whatever u r

About to be 15. U?

ADRIAN: A fuck buddy

44

KATIE: Cool

ADRIAN: R u a virgin

KATIE: Never been with someone that older but I do like older guys

ADRIAN: What part of town r u in

What is the oldest

² “fwb” is commonly used in the sexual chat community to mean “friends with benefits” meaning friends that have sex.

KATIE: Riverside

ADRIAN: Send a pic

KATIE: Ok. But u first.

At this point in the conversation, ADRIAN replied with a facial photograph. The person depicted in the photograph is an adult male and is similar to the person on ADRIAN's Skout profile picture.

6. UC1 took ADRIAN's photograph and queried it through the DPS Image Verification System (IVS). The IVS matched ADRIAN's photo to a driver's license for **Adrian Martinez**, who is 44 years old. This driver's license image is similar to the photo on ADRIAN's Skout profile and the photo he sent to KATIE. **Adrian Martinez** also put the phone number xxx-xxx-8073 on his driver's license application.

7. The conversation continued on September 20, 2018:

ADRIAN: How big is ur chest. Bra size

KATIE: 2 young 4 u?

I am embarrassed to say

ADRIAN: Tell me

Age depends on what u want

KATIE: I am open to whatever

ADRIAN: I knw. So how big

Bra size

I love all sizes breasts

KATIE: A. Pretty much flat. Don't laugh

ADRIAN: No reason too

When did u last have sex

KATIE: 4 months ago. U?

But it wasn't enjoyable

ADRIAN: Was that ur first time

KATIE: Yes

ADRIAN: U want more

KATIE: Only if you go easy and not rough like the last ahole

ADRIAN: I will

...

KATIE: U said ur looking for a fuck buddy

ADRIAN: Yes true. What time do u normally get put of school

KATIE: 430

ADRIAN: Ok. Would you skip school to fuck

8. On Sunday, September 23, the conversation continued in part:

ADRIAN: U still want to fuck

KATIE: Yeah. As long as u don't hurt me. If I say stop U have to stop ok?

Maybe I can skip this week. When u off

ADRIAN: Yes I will. I am working but we can set it up

...

KATIE: You have protection right?

ADRIAN: Yes I do

KATIE: Let me know what days work best and I will see what I can workout

ADRIAN: Tues afternoon

KATIE and ADRIAN then agreed to meet on September 25, 2018, at a Quik Trip gas station located in Haltom City, Texas. The conversation continued on September 24, 2018:

KATIE: I will look up the qt address later. It's close to my school
If we stay in ur car a dress

ADRIAN: Sounds good no panties

KATIE: No panties
11:15ish?

ADRIAN: Yes I don't want u to wear panties
Ok

KATIE: Oh ok. Lol

ADRIAN: U like to be called names

KATIE: Sure. Surprise me lol

...

ADRIAN: U ok w slut whore cunt

KATIE: Wow. Never been called that but if that turn u on ok.

9. On September 25, 2018, the conversation continued, and ADRIAN asked KATIE to send a selfie then sent one of himself to her. ADRIAN's selfie is similar to other pictures of ADRIAN and to the driver's license for **Adrian Martinez**. In the picture, ADRIAN is wearing a lanyard with some text and an image of a young boy's face on it.

10. On September 25, 2018, at approximately 11:15 a.m., **Adrian Martinez** arrived at the agreed location in Haltom City, Texas. He was wearing the same shirt as seen in the selfie picture sent to KATIE earlier in the day. **Martinez** looked around Quik Trip for a few minutes then left the building without buying anything. Upon departing the building, DPS officers arrested him.

11. A search of the car **Martinez** was driving revealed five condoms and credentials identifying **Adrian Martinez** as an employee of the Texas Department of Family Protective Services (DFPS). Also found in the car was the lanyard with the image of the young boy as seen in the selfie picture earlier that day.

12. **Martinez** consented to be interviewed and stated that he is employed as a CPS Conservatorship for the DFPS. He identified a Samsung cellular phone using phone number xxx-xxx-8073 as his personal cellular phone and stated he used that phone to communicate with KATIE.

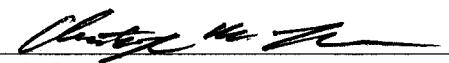
13. On September 26, 2018, **Martinez** consented to a second interview. **Martinez** stated that at the time of his arrest he was actively chatting with five to six

underage females. He further admitted that, in his 30's, he had sex with a 16-year-old girl at her house when her mother was not home.

14. I have conducted a preliminary forensic analysis of the phone seized from **Martinez** (a Samsung Galaxy Note 8 cellular phone model SM-N950U) and observed the complete chat string between ADRIAN and KATIE on the device. "MANUFACTURED IN CHINA" is stamped on the back of the device.

CONCLUSION

15. Based on the foregoing facts and circumstances, there is probable cause to believe that from on or about September 19, 2018, through on or about September 25, 2018, in the Northern District of Texas, **Adrian Martinez** using a facility or means of interstate or foreign commerce, knowingly attempted to persuade, induce, and entice a person who had not attained the age of eighteen (18) years, to engage in any sexual activity for which any person can be charged with a criminal offense, in violation of 18 U.S.C. § 2422(b).


Christopher W. Thompson
Special Agent
Federal Bureau of Investigation

Subscribed and sworn before me this 17th day of October 2018 in Fort Worth, Texas at 3:05 p.m.


JEFFREY CURETON
United States Magistrate Judge